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Lynda J. Zadra-Symes (SBN 156,511) 1 Lynda.Zadra-Symes@kmob.com ORIGINAL Jeffrey L. Van Hoosear(SBN: 147,751) 2 Jeffrey.VanHoosear@kmob.com David G. Jankowski (SBN 205,634) 3 David.iankowski@kmob.com KNOBBE, MARTENS, OLSON & BEAR, LLP 4 2040 Main Street Fourteenth Floor 5 Irvine, CA 92614 Phone: (949) 760-0404 6 Facsimile: (949) 760-9502 7 Attorneys for Defendant/Counter-Plaintiff, 8 KEATING DENTAL ARTS, INC. IN THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA SOUTHERN DIVISION JAME\$ R. GLIDEWELL DENTAL Civil Action No. ERAMICS, INC. dba GLIDEWELL EABORATORIES, SACV11-01309-DOC(ANx) APPLICATION OF 15 Plaintiff, DEFENDANT KEATING DENTAL ARTS, INC. TO FILE UNDER SEAL 16 v. **EXHIBITS 50-64 TO THE** KEATING DENTAL ARTS, INC. **DECLARATION OF RUSTIN** 17 MANGUM AND EXHIBITS V-1 AND V-3 TO THE Defendant. 18 DECLARATION OF 19 JEFFREY VAN HOOSEAR AND RELATED COUNTERCLAIMS. IN SUPPORT OF **KEATING'S MOTIONS FOR** 20 SUMMARY JUDGMENT 21 Date: December 17, 2012 Time: 8:30 a.m. 22 Crtrm: 9D 23 Honorable David O. Carter 24 25 26 27

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PLEASE TAKE NOTICE that, pursuant to L.R. 79-5.1, Defendant Keating Dental Arts, Inc. ("Keating") hereby seeks an Order of this Court permitting Keating to file under seal the following documents:

- 1. Exhibits 50-64 to the Declaration of Rustin Mangum in Support of Keating's Motions for Summary Judgment of Noninfringement and Cancelling James R. Glidewell Dental Ceramics, Inc. d/b/a Glidewell Laboratories' ("Glidewell") Trademark Registration ("Exhibits to Mangum Declaration").
- Exhibits V-1 and V-3 to the Declaration of Jeffrey Van Hoosear 2. in Support of Keating's Motions for Summary Judgment of Noninfringement and Cancelling Glidewell's Trademark Registration ("Exhibits to Van Hoosear Declaration").

The Exhibits to Mangum Declaration contain:

- Transcripts for depositions of employees of Keating and employees of Glidewell who provided testimony designated by the respective parties as "Attorneys' Eyes Only" pursuant to the Stipulated Confidentiality Order entered in this case on January 30, 2012 ("Protective Order"); and
- Internal business documents containing non-public information, including business records with customer and patient treatment information, designated by the parties as "Attorneys' Eyes Only" pursuant to the Protective Order.

The Exhibits to Van Hoosear Declaration contain:

Videotape clips from depositions of Glidewell employees who provided testimony designated by Glidewell as "Attorneys' Eyes Only" pursuant to the Protective Order.

Accordingly, Keating respectfully requests that the Court permit the above documents to be filed under seal. Respectfully submitted, KNOBBE, MARTENS, OLSON & BEAR, LLP Dated: November 19, 2012 By: Jeffrey L. Van Hoosear David G. Jankowski Attorneys for Plaintiff, KEATING DENTAL ARTS, INC.

PROOF OF SERVICE

I am a citizen of the United States of America and I am employed in Irvine, California. I am over the age of 18 and not a party to the within action. My business address is 2040 Main Street, Fourteenth Floor, Irvine, California. I am readily familiar with the firm's business practices for the collection and processing of correspondence for mailing, and that mail so processed will be deposited the same day during the ordinary course of business.

On November 19, 2012, I caused the within APPLICATION OF DEFENDANT KEATING DENTAL ARTS, INC. TO FILE UNDER SEAL EXHIBITS 50-64 TO THE DECLARATION OF RUSTIN MANGUM AND EXHIBITS V-1 AND V-3 TO THE DECLARATION OF JEFFREY VAN HOOSEAR IN SUPPORT OF KEATING'S MOTIONS FOR SUMMARY JUDGMENT OF NONINFRINGEMENT AND CANCELLING GLIDEWELL'S TRADEMARK REGISTRATION to be served on the parties or their counsel shown below, by placing it in a sealed envelope addressed as follows:

Via Electronic Mail and Federal Express:

Philip J. Graves
pgraves@swlaw.com
Snell & Wilmer LLP
350 S. Grand Ave., Suite 2600
Los Angeles, CA 90071

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on November 19, 2012 at Irvine, California.

Claire A. Stoneman

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